

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION

HENRY TILMON, JR.  
ADC #132779

PLAINTIFF

V.

NO. 2:08cv00023 SWW

LARRY NORRIS, et al

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition received from Magistrate Judge Jerry Cavaneau. There have been no objections. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, Plaintiff's case is hereby dismissed in its entirety, without prejudice, and all pending motions are denied as moot.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an in forma pauperis appeal from this order adopting the recommendations, and any judgment entered hereunder, would not be taken in good faith. Further, pursuant to Armentrout v. Tyra, 175 F.3d 1023 (8th Cir. 1999) (unpub. table op.), this action, dismissed without prejudice under Heck v. Humphrey, 512 U.S. 477 (1994), counts as a "strike" pursuant to 28 U.S.C. § 1915(g).

IT IS SO ORDERED this 7<sup>th</sup> day of April, 2008.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE